

Claudia Polsky (CBN 185505)
Steven J. Castleman (CBN 95764)
BERKELEY LAW
ENVIRONMENTAL LAW CLINIC
434 Law Building, UC Berkeley Law
Berkeley, CA 94704
Tel: (510) 664-4761
Email: scastleman@clinical.law.berkeley.edu

Michael R. Lozeau (CBN 142893)
LOZEAU DRURY LLP
1939 Harrison Street, Suite 150
Oakland, CA 84612
Tel: (510) 836-4200
Email: michael@lozeaudrury.com

Attorneys for Plaintiff Greenaction
for Health and Environmental Justice

LUCY E. BROWN (HI Bar #10946)
DAVID D. MITCHELL (IL Bar #6302250)
United States Department of Justice
Environment & Natural Resources Division
Environmental Defense Section
P.O. Box 7611
Washington, DC 20044
Telephone: (202) 514-0165 (Mitchell)
Fax: (202) 514-8865
lucy.e.brown@usdoj.gov
david.mitchell@usdoj.gov

Counsel for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GREENACTION FOR HEALTH AND
ENVIRONMENTAL JUSTICE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE
NAVY et al.,

Defendants.

Case No. 3:24-cv-3899-VC

**STIPULATION AND PROPOSED
ORDER TO MODIFY BRIEFING
SCHEDULE**

Stipulation and Proposed Order to
Modify Briefing Schedule
Case No. 3:24-cv-3899-VC

Under Civil Local Rule 6-1(b), Plaintiff and Defendants stipulate to and request an order from the Court to modify the briefing schedule for Defendants' Motion to Dismiss Plaintiff's First Amended Complaint (ECF No. 21) with Plaintiff's opposition brief due on December 6, 2024, and Defendants' reply brief due on December 20, 2024. The current deadlines are November 15, 2024, for Plaintiff's opposition and November 22, 2024, for Defendants' reply. The motion hearing is scheduled for January 23, 2025.

Plaintiff requests the additional time to evaluate Defendants' request for judicial notice of specific facts and to evaluate Defendants' arguments. Furthermore, the pedagogic model of Plaintiff's lead counsel, Berkeley Law's Environmental Law Clinic, is to include law students in all aspects of representation, including motions practice, which requires accommodating an academic calendar and necessitates a modest amount of additional time.

Defendants request an additional week for their reply in light of counsel's case-related obligations in other matters and to allow for the necessary review by the client agencies and within the U.S. Department of Justice.

Respectfully Submitted,

Dated: November 7, 2024

/s/ with permission
Steven J. Castleman
Berkeley Law Environmental Law Clinic
434 Law Building, UC Berkeley Law
Berkeley, CA 94704
Tel: (510) 664-4761
scastleman@clinical.law.berkeley.edu

Attorney for Plaintiff
Greenaction for Health and Environmental
Justice

Dated: November 7, 2024

/s/ David Mitchell

DAVID D. MITCHELL

LUCY E. BROWN

United States Department of Justice

Environment & Natural Resources Division

Environmental Defense Section

Counsel for Defendants

FILING ATTESTATION

I attest that the signing counsel for Plaintiff concurs in filing this document.

Dated: November 7, 2024

/s/ David Mitchell

DAVID D. MITCHELL

United States Department of Justice

Environment & Natural Resources Division

Environmental Defense Section

PROPOSED ORDER

Based on stipulation and for good cause shown, the briefing schedule for Defendants' Motion to Dismiss Plaintiff's First Amended Complaint (ECF No. 21) is modified as follows: Plaintiff's opposition brief is due December 6, 2024; Defendants' reply brief is due December 20, 2024.

IT IS SO ORDERED

Dated: _____

Vince Chhabria
United States District Judge